



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Angela BELCHER et al.

Title: PEPTIDE MEDIATED SYNTHESIS OF METALLIC AND
MAGNETIC MATERIALS

Appl. No.: 10/665,721

Filing Date: 9/22/2003

Examiner: Teresa D. Wessendorf

Art Unit: 1639

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is responsive to the Office Action mailed June 29, 2005. Applicants enclose a Petition for Extension of Time to make this response timely.

The Examiner has required restriction to a single invention defined according to Groups I-XVIII, as set forth on pages 2-4 of the Office Action. According to the examiner, these Groups define independent and distinct inventions under 35 U.S.C. § 121.

Applicants traverse the restriction requirement as unduly excessive but file the present response merely for sake of promptly prosecuting the case. Accordingly, Applicants elect Group XVI drawn to claims 133-141 for examination.

The Examiner also requires an election of species from each of groups A-D, as set forth on pages 5-6 of the Office Action. Applicants understand that, upon allowance of a generic claim, the scope of examination will be expanded to the non-elected species. Accordingly, Applicants elect cobalt (Co) as the magnetic material, SEQ ID NO: 15 as the

peptide sequence, a combinatorial library as the library, and silicon as the substrate.

Applicants note that not all of these species are applicable to the elected Group XVI. At least claims 1-63, 76-127, 129, 130, 133-143 are readable on the elected species.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or any other rule or provision, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.


The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

Date 08-29-2005

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5569
Facsimile: (202) 672-5399

By

 (45,943)
SEAN A. PASSINO
Stephen B. Maebius
Attorney for Applicants
Registration No. 35,264